

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF HEALTH

In the Matter of the Examination for
Certification as a Hearing Instrument
Dispenser by James Michael Gott

PREHEARING ORDER

A prehearing conference was held on October 11, 2005 at the Office of Administrative Hearings, 100 Washington Avenue South, Suite 1700, Minneapolis, MN 55401. Audrey Kaiser Manka, Assistant Attorney General, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101-2130, appeared on behalf of the Department of Health. James M. Gott, 102 Main Street, P.O. 11, Bethel, MN 55005, appeared on his own behalf.

The parties have agreed to the informal exchange of documents. The Department does not believe that there are material facts in dispute and plans to bring a motion for summary disposition.

IT IS HEREBY ORDERED:

1. The Department shall file and serve its dispositive motion for summary disposition by **October 31, 2005**, and the responding party shall have until **November 30, 2005** to respond.
2. In the event that the Department's motion is denied in whole or in part, a prehearing conference will be held by telephone to schedule the hearing.
3. In the event that Mr. Gott retains counsel, a Notice of Appearance shall be filed immediately, and a copy served on the Department's counsel.
4. This case may be appropriate for mediation. The parties are encouraged to consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated this 12th day of October 2005.

/s/ Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge